REMARKS

[0003] Applicant respectfully requests entry of the following remarks and reconsideration of the subject application. Applicant respectfully requests entry of the amendments herein. The remarks and amendments should be entered as they accompany a Request for Continued Examination. Since this response accompanies an RCE Applicant asks the Examiner to consider each of these claims anew.

[0004] Applicant respectfully requests reconsideration and allowance of all of the claims of the application. Claims 1-6, 8-20 and 26-38 are presently pending. Claims amended herein are 1-6, 8-20 and 26-38. Claims withdrawn or cancelled herein are 7, 21-25 and 39-43. New claims added herein are none.

Statement of Substance of Interview

[0005] The Examiner graciously met with me—the undersigned representative for the Applicant—on Nov. 13, 2007. Applicant greatly appreciates the Examiner's willingness to talk. Such willingness is invaluable to both of us in our common goal of an expedited prosecution of this patent application.

[0006] During the interview, we discussed the Examiner's interpretations, §112¶1 rejections, and distinctions between the claims and the cited art. Without conceding the propriety of the rejections and in the interest of expediting prosecution, we also discussed several possible clarifying amendments.

[0007] I understood the Examiner to agree that the §112¶1 rejection would be withdrawn. The Examiner was receptive to the claim proposals, however, the Examiner

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indicated that he would need to review the cited art and do another search upon the formal presentation of amendments.

[0008]   Applicant herein amends the claims in the manner discussed during the interview. Accordingly, Applicant submits that the pending claims are allowable over the cited art of record for at least the reasons discussed during the interview.

Formal Request for an Interview

[0009]   If the Examiner's reply to this communication is anything other than allowance of all pending claims, then I formally request an interview with the Examiner. I encourage the Examiner to call me—the undersigned representative for the Applicant— so that we can talk about this matter so as to resolve any outstanding issues quickly and efficiently over the phone.

[0010]   Please contact me or my assistant to schedule a date and time for a telephone interview that is most convenient for both of us. While email works great for us, I welcome your call to either of us as well. Our contact information may be found on the last page of this response.

Claim Amendments

[0011]   Without conceding the propriety of the rejections herein and in the interest of expediting prosecution, Applicant amends claims 1-6, 8-20 and 26-38 herein. Applicant amends claims to clarify claimed features in accordance with our discussion with the Examiner. Such amendments are made to expedite prosecution and quickly identify allowable subject matter. Such amendments are merely intended to clarify the claimed

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features, and should not be construed as further limiting the claimed invention in response to cited prior art.

Formal Matters

Claims

[0012]   The Examiner objects to claims 2-11 and 13-25 for reciting "A medium as recited in claim … ." The Examiner states that the claims should be changed to "'The medium as recited in claim …' to distinctly specify the medium as described in the claims in which they are dependent on." Claims 21-25 were previously cancelled.

[0013]   As discussed in the previous response, all of these claims are dependent. Applicant maintains that the subject of each dependent claim is a separate claimed invention. In addition, although a dependent claim refers back to a base claim to provide a base definition of the subject, the subject itself is fresh and new. However, in the interest of advancing prosecution, Applicant herein amends the claim terminology as requested by the Examiner.

[0014]   The Examiner objects to claims 27-38 for an auto-numbering error which caused the claims to appear to have been amended to ultimately depend from claim 1 rather than claim 26 without the status identifiers having been changed. Applicant thanks the Examiner for his recognition that no such amendments were intended. Herein, Applicant amends these claims to present proper dependency, as shown above, correcting the informalities noted by the Examiner.

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Substantive Matters

Claim Rejections under § 112

[0015] Claims 11-20 and 26-38 are rejected under 35 U.S.C. § 112, 1st ¶. In light of the discussion during the above mentioned Examiner interview and the disclosure of the Specification (p. 12, ll. 8-15), Applicant respectfully requests withdrawal of these rejections.

Claim Rejections under §§ 102 and 103

[0016] The Examiner rejects claims 1-4, 7 and 10 under §102. For the reasons set forth below, the Examiner has not shown that cited reference anticipate the rejected claims.

[0017] In addition, the Examiner rejects claims 5-9, 11-20, and 26-38 under §103. For the reasons set forth below, the Examiner has not made a prima facie case showing that the rejected claims are obvious.

[0018] Accordingly, Applicant respectfully requests that the § 102 and § 103 rejections be withdrawn and the case be passed along to issuance.

[0019] The Examiner's rejections are based upon the following references alone and/or in combination:

- **Pintsov**: *Pintsov, et al.,* European Patent App. Pub. EP1083700 (pub. Mar. 14, 2001);

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- **Venkatesan:** *Venkatesan, et al.,* US Patent No. 6,209,093 (iss. Mar. 27, 2001).

Overview of the Application

[0020]   The Application describes a technology for an implementation of a digital signature technique, which generates, and another implementation of a digital signature technique, which validates, a hidden plaintext or ciphertext message wherein one or more portions of that message have another ciphertext message implicitly embedded therein. In other implementations, two or more portions of that message have another ciphertext message implicitly embedded therein.

Cited References

[0021]   The Examiner cites Pintsov as the primary references in anticipation- and obviousness-based rejections. The Examiner cites Venkatesan as the secondary reference in obviousness-based rejections.

Pintsov

[0022]   Pintsov describes a technology for a signature scheme in which a message is divided in to a first portion which is hidden and is recovered during verification, and a second portion which is visible and is required as input to the verification algorithm. A first signature component is generated by encrypting the first portion alone. An intermediate component is formed by combining the first component and the visible portion and cryptographically hashing them. A second signature component is then

formed using the intermediate component and the signature comprises the first and second components with the visible portion. A verification of the signature combines a first component derived only from the hidden portion of the message with the visible portion and produces a hash of the combination. The computed hash is used together with publicly available information to generate a bit string corresponding to the hidden portion. If the required redundancy is present the signature is accepted and the message reconstructed from the recovered bit string and the visible portion.

Venkatesan

[0023]   Venkatesan describes a technology for generating, for a given message to be signed, an authentic cryptographic signature that can be authenticated, by a recipient of the signed message, as having originated from a signor of the message; and appropriately authenticating such a signature. Specifically, this technique, given a message, such as, e.g., a numerical product copy identifier (83, 93), forms an authentic signature (87, 97), based on public-key cryptosystem, through use of generator value selected from points on an elliptic curve over a finite field. The authentic signature is generated using the generator value in conjunction with three keys; namely, a public key, a private key and a secret key, and thus substantially increases the security associated with cryptographic signatures generated through a conventional two-key public key cryptosystem. A unique product copy indicia can be formed by concatenating the identifier, for a given product copy, with its corresponding authentic signature. During subsequent user installation of that copy to a computer, the user enters the indicia when prompted by execution of an installation program which, in turn, privately authenticates

the signature contained in the indicia in order to continue or prematurely terminate the installation.

Anticipation Rejections

[0024]   Applicant submits that the anticipation rejections are not valid because, for each rejected claim, no single reference discloses each and every element of that rejected claim.[1] Furthermore, the elements disclosed in the single reference are not arranged in the manner recited by each rejected claim.[2]

Based upon Pintsov

[0025]   The Examiner rejects claims 1-4, 7, and 10 under 35 U.S.C. § 102(b) as being anticipated by Pintsov. Applicant respectfully traverses the rejections of these claims. Based on the reasons given below, Applicant asks the Examiner to withdraw the rejection of these claims.

Independent Claim 1

[0026]   The Examiner indicates (Action, p. 4-5) the following with regard to this claim:

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[1] "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987); also see MPEP §2131.

[2] See *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).

As per claim 1, Pintsove teaches a computer-readable medium having computer-executable instructions that, when executed by a computer, performs a method comprising: obtaining a message M having two portions, wherein M1 is one of the portions of the M and M2 is another (paragraph 8, wherein M2 is the hidden first portion, and M1 is the visible second portion); generating one or more codes having a combination with M2 implicitly embedded therein, wherein calculations that generate the one or more codes do not employ M2, and M2 cannot be derived from these calculations of one or more codes (paragraphs 8 and 19-24, wherein codes are generated using c; also see paragraph 23, wherein the final signature is created utilizing s,c, and v; further M2 cannot be derived from C, as a hash function is used (paragraph 20, wherein a hash function is always one-way)); reporting the one or more codes, by which reporting the one or more codes facilitates a cryptographic technique for protecting digital media (paragraphs 23-24, wherein s, c, and v are reported to form a signature).

[0027]   Applicant submits that Pintsov does not anticipate this claim because it does not show or disclose the following elements as recited in this claim (as amended, with emphasis added):

- generating one or more codes having a combination with M_2 implicitly embedded therein, wherein **calculations that generate the one or more codes do not employ M_2 or an encryption of M_2, and M_2 cannot be derived from these calculations of one or more codes;**

[0028]   In this Action, the Examiner equated the *first signature component generated by encrypting of a first portion of a message* disclosed by Pintsov with the

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"**calculations that generate the one or more codes do not employ M_2**" recited in this claim. Applicant respectfully disagrees.

[0029]   Unlike the "**calculations that generate the one or more codes do not employ M_2 or an encryption of M_2**" of the claim as amended, the *first signature component generated by encrypting of a first portion of a message* of Pintsov is characterized as employing the first portion of Pintsov's message, that is an encryption of the first portion of Pintsov's message.

[0030]   Furthermore, Applicant disagrees with the statement "a hash function is always one-way" implying inherency where none exists. Unlike the "**M_2 cannot be derived from these calculations of one or more codes**" of the claim, one-wayness does not mean irreversibility of processing the hash state so that M_2 could not be derived from the calculations.

[0031]   Thus, Pintsov does not appear to anticipate claim 1 as amended, for at least these two reasons. Accordingly, Applicant asks the Examiner to withdraw the rejection of this claim.

Dependent Claims 2-6 and 8-11

[0032]   These claims ultimately depend upon independent claim 1. As discussed above, claim 1 is allowable. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable. Additionally, some or all of these claims may also be allowable for additional independent reasons.

[0033]   The Examiner rejects former claim 7 under §102, but does not address all of the features of the claim in this rejection.

- finding a value of a variable per-message key (k) where a predefined mathematical function, $M_2 = H_0(M_1, g^k)$, employing k produces a result equivalent to M_2, **wherein g is a fixed element of order q in a fixed group, and H_0 is a predefined hash function instantiated by using a keyed version of a secure hash function**

[0034]   Specifically, the emphasized portions are not addressed in the rejection. Thus, Pintsov does not appear to anticipate former claim 7 (herein incorporated into claim 1). Accordingly, Applicant asks the Examiner to withdraw the §102 rejection of claim 1.

Obviousness Rejections

Lack of *Prima Facie* Case of Obviousness (MPEP § 2142)

[0035]   Applicant disagrees with the Examiner's obviousness rejections. Arguments presented herein point to various aspects of the record to demonstrate that all of the criteria set forth for making a prima facie case have not been met.

Based upon Pintsov

[0036]   The Examiner rejects claims 5 and 6 under 35 U.S.C. § 103(a) as being unpatentable over Pintsov. Applicant respectfully traverses the rejection of these claims and asks the Examiner to withdraw the rejection of these claims.

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[0037]   Claims 5 and 6 ultimately depend upon independent claim 1. As discussed above, claim 1 is allowable. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable. Additionally, some or all of these claims may also be allowable for additional independent reasons.

[0038]   The Examiner indicates (Action, p. 10-11) the following with regard to claims 5 and 6:

As per claim 5, Pintsov teaches wherein the message M has a defined length (paragraph 9, wherein M1 and M2 (the combination of M1 and M2 make up M) have a determined length). However, at the time of the invention, Pintsov does not explicitly teach wherein the length of the combination of the two or more codes is less than the message's defined length. Pintsov teaches though that the two codes are hashed though in paragraph 8 and throughout the reference. It is well known in the art that hashing reduces the data into a small number that serves as a fingerprint. If both the codes were hashed to less than half the size, it would be true that the length of a combination of two or more codes is less than the message's defined length.

At the time of the invention, it would have been obvious to have the length of a combination of two or more codes to be less than the message's defined length. One of ordinary skill in the art would have been motivated to perform such an addition to increase the speed of the whole process and a better flow of data by having codes that are smaller than half the size of the original message.

As per claim 6, Pintsov teaches wherein M2 has a defined length (paragraph 9, wherein M2, the first portion, has a size determined by an application). However, at the time of the invention, Pintsov does not explicitly teach wherein the length of the combination of the two or more codes is less than the defined length of M2. Pintsov teaches though that the two codes are hashed in paragraph 8 and throughout the reference. It is well known in the art that hashing reduces the data into a small number that serves as a fingerprint. If both the codes were hashed to less than half the size, it

would be true that the length of a combination of two or more codes is less than M2's defined length.

At the time of the invention, it would have been obvious to have the length of a combination of two or more codes to be less than M2's defined length. One of ordinary skill in the art would have been motivated to perform such an addition to increase the speed of the whole process and a better flow of data by having codes that are smaller than half the size of the original message.

[0039]   Applicant submits that these claims are not unpatentable over Pintsov because Pintsov does not disclose the following elements as recited in these claims (as amended, with emphasis added):

- "the message M has a pre-determined length and a length of a combination of two or more codes is less than the message's pre-determined length" (Claim 5)

- "M_2 has a pre-determined length and a length of a combination of two or more codes is less than or equal to the pre-determined length of M_2" (Claim 6)

[0040]   In this Action, regarding claim 5, the Examiner states that "the message M has a defined length" is shown by the *message of Pintsov made up of two parts has a defined length* as disclosed by Pintsov [0009]. However, Pintsov's [0009] states "[t]he relative sizes of the first and second portions are determined by the application itself." The Examiner cites the same paragraph to show "M_2 has a defined length." But Pintsov [0009] states that the sizes of its portions are *relative* and *determined by the application.* Thus, Pintsov does not teach the clarified "pre-determined length" recited in the claims.

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[0041]   The Examiner acknowledges that Pintsov does not teach "**a length of a combination of two or more codes is less than the message's defined length**" as in claim 5, and "**a length of a combination of two or more codes is less than or equal to the defined length of M_2**" as in claim 6.

[0042]   The Examiner's rejections do not provide any evidence for his statements of obviousness.   Instead, the Examiner provides conclusions without a finding with regard to the level of ordinary skill in the art at the time of the invention.   Furthermore, regarding claim 6, the Examiner's rejection depends on a "what if" interpretation that seemingly demonstrates hindsight reasoning.   Thus, for at least these reasons, Applicant respectfully requests that the Examiner withdraw the rejections of these claims.

Based upon Pintsov and Venkatesan

[0043]   The Examiner rejects claims 7-9, 11-20, and 26-38 under 35 U.S.C. § 103(a) as being unpatentable over Pintsov in view of Venkatesan.   Applicant respectfully traverses the rejections of these claims and asks the Examiner to withdraw the rejections of these claims.

Independent Claims 12 and 26

[0044]   The Examiner indicates (Action, p. 8) the following with regard to claims 12 and 26:

> Independent claim 12 is rejected using the same basis of arguments used to reject claims 8 and 9.

> Independent claim 26 is rejected using the same basis of arguments used to reject claim 12 above.

[0045]   The Examiner indicates (Action, pp. 7-8) the following with regard to claims 8 and 9:

> Claim 8 is rejected using the same basis of arguments used to reject claim 7. Non-linear mathematical functions are taught throughout Pintsove, such as in paragraphs 14 and 29, wherein DES and SHA both employ non-linear mathematical functions. Further, more details can be found in Venkatesan col. 12 line 42 to col. 13 line 20.

> As per claim 9, Pintsove teaches finding a value of a variable per-message key (k) where a predefined mathematical function employing M1 and g^k produces a result equivalent to M2 (paragraphs 19-25, and 29); when such a value of k is found, calculating the two or more codes, where one code is r (paragraphs 19-25, and 29, where r is c) and another is s (paragraphs 19-25, and 29, where s is s), with r (c) being

calculated using another predefined mathematical function employing M1 and g^k (paragraphs 19-25, and 29), and with s being calculated using still another predefined mathematical function employing M1, and g^k and r (paragraphs 19-25, and 29, wherein s = k-1 {SHA1(c/N)+a r'} modn. Further, details utilizing k is taught in Venkatesan such as in col. 12 line 42 to col. 13 line 20. Here, k is utilized in more equations.

[0046] The Examiner indicates (Action, p. 7) the following with regard to claim 7:

As per claim 7, Pintsov, as understood by the Examiner, does not explicitly teach all the limitations of this claim. Pintsove teaches though utilizing ElGamal equations though in paragraph 23, which utilize similar equations. However, this formula is not explicitly shown in Pintsove. However, this is shown in Venkatesan, such as in col. 13 lines 10-15.

At the time of the invention, it would have been obvious to combine the teachings of Venkatesan with Pintsov. One of ordinary skill in the art would have been motivated to perform such an addition to increase security. Although the equation shown in Venkatesan are slightly different (the r instead of M2), it would have been obvious to modify this equation to apply in this scenario, as it increases security. Further, Venkatesan is analogous art, as it is directed toward cryptographic signatures and authentication.

[0047] The Examiner admits that Pintsov does not teach each of the features as recited in claims 7, 8, 9, or 12 and 26. The Examiner therefore relies on Venkatesan, apparently on the basis that Venkatesan *utilizes k*. However, the Examiner does not cure the deficiencies of Pintsov as illustrated regarding claim 1, and thus, claims 7, 8, and 9 depending on 1 should be allowed for at least this reason.

[0048]   On page 7 of the Action, the Examiner states "this formula is not explicitly shown in Pintsove [sic]. However, this is shown in Venkatesan, such as in col. 13 lines 10-15." By "this formula" Applicant presumes that the Examiner means "$M_2 = H_0(M_1, g^k)$" from claims 7, 12, and 26. However, the equation cited from Venkatesan ("$r = HASH(g^k \circ M)$") means that g^k and M are concatenated, then hashed to produce r. Furthermore, the r in Venkatesan is not calculated to correspond to the relationship between M_1 and M_2 as claimed in claim 1.

[0049]   Additionally, the Examiner has not addressed, and the references do not show "wherein g is a fixed element of order q in a fixed group, and H_0 is a predefined hash function instantiated by using a keyed version of a secure hash function" as recited in former claim 7 (herein incorporated into claim 1) and claim 12. Thus, Applicant, submits that Pintsov and Venkatesan do not teach or suggest all of the elements of these claims, and there exists no motivation to combine these references in this way.

No Reason to Combine References

[0050]   "[R]ejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness. . . . KSR Int'l Corp. v. Teleflex, Inc., Slip Op. at 14 (U.S. Apr. 30, 2007) (quoting In re Kahn, 441 F. 3d 977, 988 (CA Fed. 2006)). A factfinder should be aware, or course, of the distortion caused by hindsight bias and must be cautious of argument reliant upon *ex post* reasoning," Id., Slip Op. at 17, *See also* Graham v. John Deere Co., 383 U.S. at 36, 148 USPQ at 474.

[0051]   Applicant submits that Examiner has not identified some suggestion, teaching, or reason from the cited references themselves (or from the knowledge of one of ordinary skill in the art at the time of the invention) that would have led one of ordinary skill in the art at the time of the invention (hereinafter, "OOSA") to combine the disclosures of the cited references in the manner claimed. More specifically, there is no reason to combine because:

- the cited art does not suggest the desirability of the claimed invention;

- the Examiner has not provided any objective and particular evidence showing why OOSA would be motivated to combine the teachings of the references; and

- the cited art does not disclose all of the features of the claims.

[0052]   Without conceding that the purported combinations is proper, Applicant disputes that the purported modification of Pintsov with Venkatesan would have made the rejected claims obvious to one of ordinary skill in the art at the time of the invention.

[0053]   On pages 10-11 of the Action regarding claims 5 and 6, the Examiner appears to state that it would be obvious to modify Pintsov in light of the claim language, and that the motivation would have been to "increase the speed of the whole process and a better flow of data by having codes that are smaller than half the size of the original message." Applicant disagrees at least because there is no **evidence** that such a modification of Pintsov would have been obvious without hindsight reasoning.

[0054]   Accordingly, the Applicant respectfully asks the Examiner to withdraw the rejections of these claims.

Cited References Express no Reason to Combine

[0055]   On page 5 of the Action, the Examiner states that "it would be obvious to combine the teachings of Venkatesan with Pintsov. One of ordinary skill in the art would have been motivated to perform such an addition to increase security." Applicant disagrees that this combination would have been obvious to one of ordinary skill in the art at the time of the invention at least because Pintsov is directed to increasing security via digital signatures (*see* Abstract). Thus, OOSA would have no reason to look to Venkatesan to solve a problem already solved by Pintsov.

[0056]   The above statement is draws on the reasoning of the BPAI presented in *Ex parte* Rinkevich (non-precedential decision) on May 29, 2007.

[0057]   In its reasoning, the BPAI stated: "[a] factfinder should be aware, or course, of the distortion caused by hindsight bias and must be cautious of argument reliant upon *ex post* reasoning," (quoting KSR Int'l Co. v. Teleflex Inc., 127 S. Ct. 1727, 82 USPQ2d at 1397. *See also* Graham v. John Deere Co., 383 U.S. at 36, 148 USPQ at 474). In that case, as in the matter as issue here, the Applicant raised the issue of improper hindsight reasoning. Therein the BPAI was persuaded that the problem or deficiency that the Examiner raised as motivation to seek out a secondary reference, "impermissibly used the instant claims as a guide or roadmap in formulating the rejection." The BPAI further quoted the Supreme Court in *KSR* stating that "[r]igid preventative rules that deny

factfinders recourse to common sense, however, are neither necessary under our case law nor consistent with it," KSR Int'l Co. v. Teleflex Inc., 127 S. Ct. 1727, 82 USPQ2d at 1397. Applying common sense to the case at hand, the BPAI concluded that "a person of ordinary skill in the art *having common sense* at the time of the invention would not have reasonably looked to Wu to solve a problem already solved by Savill," (emphasis provided). Ultimately the BPAI found that the Examiner had impermissibly used the claims has a guide to formulate the rejection.

[0058]   As in *Ex parte* Rinkevich, Applicant submits OOSA would have no reason to combine the teachings of Pintsov with Venkatesan because neither reference expresses a reason to combine the teachings of these references, either explicitly or implicitly.

[0059]   The Examiner states that the reason to combine the teachings of Pintsov and Venkatesan is "to increase security." However, because Pintsov already addresses increased security (*see* Abstract), OOSA *having common sense* would not have reasonably looked to Venkatesan for such teaching since Pintsov had already addressed the problem.

[0060]   For the foregoing reasons, Applicant submits that none of these references expresses a reason to combine the teachings of these references. Accordingly, OOSA would have no motivation to combine the teachings of the cited references.

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No Showing of Objective Evidence

[0061]   Furthermore, Applicant respectfully submits that the Office has not met its burden in showing a reason to combine Pintsov with Venkatesan. More specifically, the Examiner has not identified any objective and particular evidence found in the cited references or known to those of ordinary skill in the art at the time of the invention that shows why OOSA would be motivated to combine the teachings of the cited references.

[0062]   The Examiner has not identified any specific portion of the cited references as being objective and particular evidence that would have motivated OOSA to look towards the teachings of the other to produce the combination of references that the Examiner proposes. Nor has the Examiner presented any objective and particular evidence that such a combination was known to one of ordinary skill in the art at the time of the invention that would have motivated OOSA to look towards the teachings of the cited references to produce the combination of references that the Examiner proposes.

[0063]   Applicant respectfully submits that the Examiner cannot maintain the obviousness-based rejections without pointing out, with particularity, evidence from the specific portions of the cited references, evidence that such a combination, or evidence that a reason for making such a combination was known to one of ordinary skill in the art at the time of the invention that would have motivated OOSA to look towards the teachings of the other to produce the combination of references that the Examiner proposes.

[0064]   For the foregoing reasons, Applicant submits that the Office has not met its burden in showing objective evidence to combine references. Accordingly, OOSA would have no motivation to combine the teachings of cited references.

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Purported Combination Does Not Disclose ALL of the Claim Features

[0065]   Regarding the purported combination of Pintsov and Venkatesan , as discussed above the cited references do not disclose all of the claimed features.

[0066]   In sum, Applicant submits that there is no suggestion, teaching, or reason given by one reference that would motivate OOSA to combine it with the teachings of the other references. More specifically, there is no reason to combine because no motivation exists in the references themselves to make the combinations; and the Examiner has not provided any objective and particular evidence showing why OOSA would be motivated to combine the teachings of the references. Accordingly, Applicant asks the Examiner to withdraw the rejection of claims rejected based on the combination of Pintsov and Venkatesan.

Dependent Claims 13-20 and 27-38

[0067]   These claims ultimately depend upon independent claims 12 and 26. As discussed above, claims 12 and 26 are allowable.   It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable. Additionally, some or all of these claims may also be allowable for additional independent reasons.

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Dependent Claims

[0068]   In addition to its own merits, each dependent claim is allowable for the same reasons that its base claim is allowable. Applicant requests that the Examiner withdraw the rejection of each dependent claim where its base claim is allowable.

Conclusion

[0069]   All pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application. If any issues remain that prevent issuance of this application, the **Examiner is urged to contact me before issuing a subsequent Action**. Please call/email me or my assistant at your convenience.

Respectfully Submitted,

Dated: _12/26/2007_

By: _____
Beatrice L. Koempel-Thomas
Reg. No. 58213
(509) 324-9256 x259
bea@leehayes.com
www.leehayes.com

My Assistant: Carly Bokarica
(509) 324-9256 x264
carly@leehayes.com

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RESPONSE TO FINAL OFFICE ACTION

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